appropriate because of the almost universal acceptance of these specific names in their accustomed senses.

I believe that the confusion that has resulted from the publication by Böhme (1991), which was correct under the Code, in the naming of animals within this species complex would be solved by accepting the proposal of Sprackland et al. and that their suggested solution would meet with general approval by herpetologists. I fully support their suggested course of action.

Comments on the proposed conservation of the specific name of *Varanus teriae* Sprackland, 1991 (Reptilia, Squamata)

(Case 3043; see BZN **54**: 100–103)

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I am much surprised to find in the *Bulletin* a request to conserve a name less than six years old by suppression of a synonym six years older. The application makes admirably clear that there is no doubt that *Varanus teriae* Sprackland, 1991 and *Odatria keithhornei* Wells & Wellington, 1985 are objective synonyms as they both are based on the same holotype specimen. As far as I can see the only reason for suppression of the older name is that its publication was obscure, but through all the publicity it now receives, it is not so any longer. Of course it is to be regretted that the authors of the older name took so little trouble to publicise the results of their research; judging by the application their (1985a) publication is virtually unknown.

The facts that the two names were both availably published, that their synonymy is not in any doubt, and that this synonymy has existed for only six years, in my view make it entirely illogical that the older of the two names should be suppressed. In six years a name cannot become so generally accepted that its replacement would be a disaster.

The Commission should judge the case on its own merits, and not be influenced that the authors of the older name, Wells & Wellington, have previously been the subject of a nomenclatural controversy.

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Professor Holthuis is opposed (above) to our application to conserve the specific name of *Varanus teriae* Sprackland, 1991 on the grounds that the name has been in use for only six years. There are a number of criteria affecting the choice of name for the northeastern Australian tree monitor and, in our view, the six-year availability of *teriae* is the least significant of them.

1. The name *teriae* was published in 1991. However the name *Odatria keithhornei* Wells & Wellington, the senior synonym, was itself published only in 1985. Thus the choice is between a six-year-old name and one that is 12 years old.

2. The specific name *keithhornei* has not been used as valid since its publication and, indeed, was unrecognised until 1994 when Covacevich & Couper, compilers of the catalog of type material in the Queensland Museum, discovered that *keithhornei* had been based on the same specimen as *teriae*. They listed both names and recorded the synonymy but did not adopt either as valid.

3. The northeastern Australian tree monitor has consistently been referred to as *teriae* since publication of the name and, to our knowledge, it has appeared in at least 18 publications by 19 authors (para. 3 of the application). The name *teriae* has been recorded in *Zoological Record*, as have most of the publications in which it has been cited, whereas neither Wells & Wellington's (1985) paper nor the name *keithhornei* has ever been recorded. It would cause considerable ambiguity and serve no purpose to alter the name now. Some authors would follow the change whilst others would not, and any author unaware of the nomenclatural situation might well think that *teriae* and *keithhornei* referred to two separate taxa.

4. The name *teriae* has been used in legal documentation, both national and international, relating to conservation of the species (para. 3). For example, the taxon is referred to under this name in *The action plan for Australian reptiles* (1993), *World checklist of threatened amphibians and reptiles* (1993), and *Checklist of CITES species. A reference to the appendices to the International Trade in Endangered Species of Wild Fauna and Flora* (1996). To introduce now a name which is unknown for the taxon would be illogical and confusing and would bring potentially serious consequences.

5. In establishing *keithhornei*, Wells & Wellington (1985) referred to Czechura (1980) and thus the name is formally available under Article 13a(ii) of the Code (i.e. by bibliographic reference). Czechura, however, thought that he was announcing the first substantiated occurrence on mainland Australia of the New Guinea species *Varanus prasinus* (Schlegel, [1839]) and very few details of the taxon were given. Sprackland's (1991) work must be consulted as the original study giving a full description, including illustrations and an analysis of the taxon compared with other monitor lizards.

For all these reasons we stand by our application, believing it to be of sound merit, and commend it to the Commission.

Additional reference

Covacevich, J.A. & Couper, P.J. 1994. Type specimens of frog and reptile species, Queensland Museum: recent additions and new information. *Memoirs of the Queensland Museum*, **37**(1): 69–81.